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*Attorneys for Defendants*

*Teva Pharmaceuticals USA, Inc. and Teva Pharmaceutical Industries Ltd.*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

HELSINN HEALTHCARE S.A. and  
ROCHE PALO ALTO LLC,

)

)

)

Plaintiffs,

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)

) Civil Action No. 11-3962 (MLC)(DEA)

) Civil Action No. 11-5579 (MLC)(DEA)

) (consolidated)

DR. REDDY'S LABORATORIES, LTD.,  
DR. REDDY'S LABORATORIES, INC.,  
SANDOZ, INC., TEVA PHARMACEUTICALS  
USA, INC., and TEVA PHARMACEUTICAL  
INDUSTRIES, LTD.,

) Hon. Mary L. Cooper, U.S.D.J.

) Hon. Douglas E. Arpert, U.S.M.J.

)

)

Defendants.

**DECLARATION OF JOVIAL WONG IN SUPPORT OF  
DEFENDANTS' OPENING CLAIM CONSTRUCTION BRIEF**

**JOVIAL WONG**, of full age, hereby declares as follows:

1. I am an attorney at law and an associate with Winston & Strawn LLP, attorneys for Defendants Teva Pharmaceuticals USA, Inc. and Teva Pharmaceutical Industries Ltd. (collectively, "Teva") in the above-captioned actions. As such, I have personal knowledge of the facts set forth herein.
2. This Declaration is submitted in support of Defendants Teva, Sandoz, Inc., and Dr. Reddy's Laboratories, Ltd. and Dr. Reddy's Laboratories, Inc.'s Opening Markman Brief for U.S. Patent Nos. 7,947,724; 7,947,725; and 7,960,424 pursuant to this Court's Pretrial Scheduling Order [ECF No. 75].
3. Annexed hereto as Exhibit 1 is a true and correct copy of the Joint Claim Construction and Prehearing Statement [ECF No. 85].
4. Annexed hereto as Exhibit 2 is a true and correct copy of U.S. Patent No. 7,947,724.
5. Annexed hereto as Exhibit 3 is a true and correct copy of U.S. Patent No. 7,947,725.
6. Annexed hereto as Exhibit 4 is a true and correct copy of U.S. Patent No. 7,960,424.
7. Annexed hereto as Exhibit 5 is a true and correct copy of the July 21, 2005 U.S. Application No. 11/186,311 (the "'311 application").
8. Annexed hereto as Exhibit 6 is a true and correct copy of the February 26, 2007 Amendment submitted during prosecution of the '311 application.
9. Annexed hereto as Exhibit 7 is a true and correct copy of the October 5, 2007 Office Action submitted during prosecution of the '311 application.

10. Annexed hereto as Exhibit 8 is a true and correct copy of the October 6, 2008 Office Action submitted during prosecution of the '311 application.

11. Annexed hereto as Exhibit 9 is a true and correct copy of the April 6, 2009 Amendment submitted during prosecution of the '311 application.

12. Annexed hereto as Exhibit 10 is a true and correct copy of the May 24, 2010 Appeal Brief submitted during prosecution of the '311 application.

13. Annexed hereto as Exhibit 11 is a true and correct copy of the December 15, 2009 Amendment submitted during prosecution of the '268 application.

14. Annexed hereto as Exhibit 12 is a true and correct copy of the October 11, 2010 Appeal Brief submitted during prosecution of the '268 application.

15. Annexed hereto as Exhibit 13 is a true and correct copy of the April 29, 2009 Amendment submitted during prosecution of the '270 application.

16. Annexed hereto as Exhibit 14 is a true and correct copy of the November 13, 2009 Appeal Brief submitted during prosecution of the '270 application.

17. Annexed hereto as Exhibit 15 is a true and correct copy of the pertinent pages from The United States Pharmacopeia USP 25, General Information, <1151> Pharmaceutical Dosage Forms, 2213-25 (2002).

18. Annexed hereto as Exhibit 16 is a true and correct copy of the pertinent pages from Remington: The Science and Practice of Pharmacy, 20<sup>th</sup> Ed., 52:986-994 (2000).

19. Annexed hereto as Exhibit 17 is a true and correct copy of the February 9, 2009 Declaration by Daniele Bonadeo submitted during prosecution of the '311 application.

20. Annexed hereto as Exhibit 18 is a true and correct copy of the November 21, 2007 Declaration by Calderari *et al.* submitted during prosecution of the '311 application.

21. Annexed hereto as Exhibit 19 is a true and correct copy of the February 13, 2007 Declaration by Daniele Bonadeo submitted during prosecution of the '311 application.

22. Annexed hereto as Exhibit 20 is a true and correct copy of the March 24, 2006 U.S. Application No. 11/388,268 (the "'268 application").

23. Annexed hereto as Exhibit 21 is a true and correct copy of the March 24, 2006 U.S. Application No. 11/388,270 (the "'270 application").

24. Annexed hereto as Exhibit 22 is a true and correct copy of the February 26, 2007 Amendment submitted during prosecution of the '268 application.

25. Annexed hereto as Exhibit 23 is a true and correct copy of the February 26, 2007 Amendment submitted during prosecution of the '270 application.

26. Annexed hereto as Exhibit 24 is a true and correct copy of the October 3, 2007 Office Action submitted during prosecution of the '268 application.

27. Annexed hereto as Exhibit 25 is a true and correct copy of the September 20, 2007 Office Action submitted during prosecution of the '270 application.

28. Annexed hereto as Exhibit 26 is a true and correct copy of the July 14, 2008 Amendment submitted during prosecution of the '311 application.

29. Annexed hereto as Exhibit 27 is a true and correct copy of the December 13, 2007 Amendment submitted during prosecution of the '268 application.

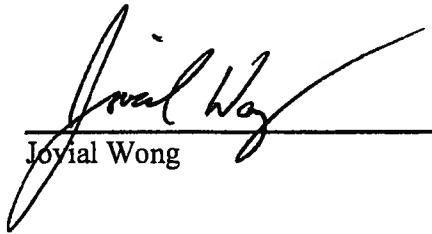
30. Annexed hereto as Exhibit 28 is a true and correct copy of the December 13, 2007 Amendment submitted during prosecution of the '270 application.

31. Annexed hereto as Exhibit 29 is a true and correct copy of the July 15, 2009 Office Action submitted during prosecution of the '268 application.

32. Annexed hereto as Exhibit 30 is a true and correct copy of the August 25, 2008 Amendment submitted during prosecution of the '270 application.

33. Annexed hereto as Exhibit 31 is a true and correct copy of the January 23, 2009 Advisory Action submitted during prosecution of the '270 application.

I declare under the penalty of perjury that the foregoing statements made by me are true and correct.



Joyal Wong

A handwritten signature in black ink, appearing to read "Joyal Wong", is written over a horizontal line. Below the signature, the name "Joyal Wong" is printed in a smaller, sans-serif font.

Dated: May 21, 2012